

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

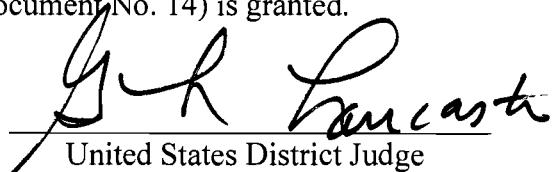
JAMES J. KANIA,)
Plaintiff,)
vs) Civil Action No. 07-713
Defendant.)

JOHN E. POTTER,)
Postmaster General of the United States,)
Defendant.)

O R D E R

AND NOW, this ⁵th day of Dec, 2007, after the plaintiff filed an amended complaint in the above-captioned case, and after the defendant moved to dismiss all claims in the amended complaint with the exception of the plaintiff's claims involving his 2006 non-selection for a maintenance position, and after a Report and Recommendation was issued by the United States Magistrate Judge, and the parties were granted thirteen days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the plaintiff, and after independent review of the pleadings, and the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the defendant's motion to dismiss all claims in the amended complaint with the exception of the plaintiff's claims involving his 2006 non-selection for a maintenance position in Counts I and III (Document No. 14) is granted.



United States District Judge

cc: All Counsel of Record

Honorable Robert C. Mitchell
United States Magistrate Judge